

AMENDED IN ASSEMBLY APRIL 15, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 45

Introduced by Assembly Member Dickinson
(Principal coauthor: Assembly Member Skinner)
(Coauthor: Assembly Member Bonta)

December 19, 2012

An act to amend Sections 81010, 82007, 82013, 82015, ~~82016~~, 84101, 84211, 84215, 84605, and 85201, ~~89519, 90003, 90005, and 91003~~ of, and to add Sections 84215.5 and, 86119, and 90009 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 45, as amended, Dickinson. Political Reform Act of 1974.

~~(1) The Political Reform Act of 1974 imposes various reporting and disclosure requirements for campaign contributions and expenditures. For purposes of the act, a “committee” is defined to include any person or combination of persons who receives contributions or makes independent expenditures totaling \$1,000 or more in a calendar year. The act also defines a “controlled committee” to include a committee that is controlled directly or indirectly by a candidate.~~

~~This bill would increase the monetary threshold of contributions or independent expenditures that qualify a person or combination of persons as a committee to \$2,000. The bill would also revise the definition of a “controlled committee” to specify that a committee controlled by a candidate who is elected to office is a controlled committee for the duration of the candidate’s entire term of office, as specified.~~

(1) The Political Reform Act of 1974 defines various terms for purposes of the reporting and disclosure requirements under the act.

The act defines the term “candidate” as including, in addition to other individuals, an officeholder who is the subject of a recall election. This definition also provides that an individual who becomes a candidate retains his or her status as a candidate until the time that this status is terminated.

This bill would revise this definition to provide that the term “candidate” includes any officeholder, regardless of whether he or she is the subject of a recall election, and would provide that a candidate retains that status until the time that he or she leaves office and the status is terminated.

The act defines a “committee” as any person or combination of persons who receives contributions or makes independent expenditures totaling \$1,000 or more in a calendar year.

This bill would increase the monetary threshold of contributions or independent expenditures that qualify a person or combination of persons as a committee to \$2,000. (PU 20130AB__004599INT) The bill also would make conforming changes.

(2) The act requires committees to file periodic campaign statements. The act requires that the campaign statements disclose certain information about contributors who have made aggregate contributions, as defined, of \$100 or more.

This bill would increase the monetary contribution threshold for requiring the disclosure of contributor information to \$250. The bill would require the Fair Political Practices Commission to adopt regulations establishing reporting thresholds, with a minimum of \$500 and a maximum of \$2,500, for disclosure of contributions and expenditures, as specified, for a committee primarily formed to support or oppose a statewide initiative or ballot measure, and would authorize the Commission to adopt regulations to adjust these thresholds in any odd-numbered year after 2013.

This bill would revise the definition of “contribution” to include a payment to a multipurpose organization, as defined, made by a person who knows or has reason to know that the payment or portion of the payment will be used to make a contribution or an independent expenditure. The bill imposes a presumption that a donor has reason to know that his or her payment will be used to make a contribution or an independent expenditure if the recipient organization has made aggregate contributions or independent expenditures of \$2,000 or more within the

calendar year in which the payment is made or four preceding calendar years or if the donor payment is \$50,000 or more, is made within the 6 months preceding the election, and the multipurpose organization makes a contribution or an independent expenditure of \$50,000 or more within the 6 months prior to the election.

~~(3) The act defines as “surplus campaign funds” as campaign funds that are under the control of a former candidate or former elected officer as of the date of leaving elective office or the end of the postelection reporting period following the defeat of the candidate for elective office, whichever occurs last. The act restricts the purposes for which surplus campaign funds may be expended.~~

~~This bill would increase the time at which campaign funds become surplus campaign funds by 90 days following either the officer leaving elective office or the end of the postelection reporting period following the defeat of a candidate, whichever occurs last.~~

~~(4)~~

(3) The act imposes specified duties on a filing officer with respect to reports and statements filed with that filing officer, including supplying the necessary forms and manuals and determining whether required documents have been filed and conform on their face with the requirements of the act.

This bill would additionally require a filing officer to immediately affix a date stamp to each statement of economic interests that the officer receives to reflect the date of receipt. By imposing additional duties on local officials, this bill would impose a state-mandated local program.

~~(5)~~

(4) The act requires that certain campaign statements be filed with the Secretary of State online or electronically. The act requires that persons filing campaign statements online or electronically also continue to file the statements in a paper format.

This bill would repeal the requirement that a person file a paper copy of a campaign statement that is filed with the Secretary of State online or electronically, except during such times as the online or electronic system operated by the Secretary of State is malfunctioning, unavailable, or otherwise not capable of receiving online or electronically filed campaign statements.

~~(6)~~

(5) The act is administered and enforced by the Fair Political Practices Commission. ~~The act authorizes the Commission, as well as the Franchise Tax Board, to perform discretionary investigations and audits~~

~~with respect to campaign and lobbying reports and statements that are filed with the Secretary of State. The act prohibits members, employees, and agents of the Franchise Tax Board from divulging records, documents, or information received pursuant to audit activities authorized under the act. The act also authorizes any person residing in the jurisdiction to sue for injunctive relief to prevent violations or compel compliance with the act~~

This bill would authorize the Commission to seek injunctive relief in a superior court to compel disclosure consistent with the act, and would require a court to grant expedited review of an action filed pursuant to this provision, as specified.

(6) The act requires a lobbying firm and a lobbyist employer, as defined, to register and file periodic activity reports with the Secretary of State disclosing specified information. The act requires lobbyists, lobbying firms, and lobbyist employers to periodically report activity expenses, as defined.

~~This bill would require the Secretary of State to make campaign and lobbying statements these registration documents and reports that are filed with the Secretary of State available to the Commission, upon request by the Commission. This bill would specify that the Commission may perform audits prior to the date of the election and prior to the date that a statement or report is required to be filed. The bill would prohibit the members, employees, and agents of the Commission from divulging records, documents, or information received in the course of the audits, as specified. The bill would authorize a person to challenge an audit by the Commission or any order resulting from an audit by seeking a writ of mandate, which would take priority over all other civil matters. The bill would specify that the Commission is authorized to seek an injunction to prevent a violation of or compel compliance with the act.~~

(7) The act makes a knowing or willful violation of its provisions a misdemeanor and subjects offenders to criminal penalties.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs

so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(9) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 81010 of the Government Code is
2 amended to read:

3 81010. With respect to reports and statements filed with him
4 or her pursuant to this title, the filing officer shall do all of the
5 following:

6 (a) Supply the necessary forms and manuals prescribed by the
7 Commission.

8 (b) Immediately affix a date stamp to each statement of
9 economic interests filed pursuant to Chapter 7 (commencing with
10 Section 87100) to reflect the date of receipt by the filing officer.

11 (c) Determine whether required documents have been filed and,
12 if so, whether they conform on their face with the requirements of
13 this title.

14 (d) Notify promptly all persons and known committees who
15 have failed to file a report or statement in the form and at the time
16 required by this title.

17 (e) Report apparent violations of this title to the appropriate
18 agencies.

19 (f) Compile and maintain a current list of all reports and
20 statements filed with this office.

21 SEC. 2. Section 82007 of the Government Code is amended to
22 read:

23 82007. "Candidate" means an individual who is listed on the
24 ballot, or who has qualified to have write-in votes on his or her
25 behalf counted by election officials, for nomination for or election
26 to ~~any~~ *an* elective office, or who receives a contribution or makes
27 an expenditure or gives his or her consent for any other person to
28 receive a contribution or make an expenditure with a view to

1 bringing about his or her nomination or election to ~~any~~ *an* elective
2 office, whether or not the specific elective office for which he or
3 she will seek nomination or election is known at the time the
4 contribution is received or the expenditure is made and whether
5 or not he or she has announced his or her candidacy or filed a
6 declaration of candidacy at ~~such~~ *that* time. “Candidate” also
7 includes ~~any an~~ officeholder ~~who is the subject of a recall election.~~
8 An individual who becomes a candidate shall retain his or her
9 status as a candidate until ~~such the time as that he or she leaves~~
10 *office and his or her status as a candidate* is terminated pursuant
11 to Section 84214. “Candidate” does not include ~~any~~ a person within
12 the meaning of Section 301(b) of the Federal Election Campaign
13 Act of 1971.

14 ~~SEC. 2.~~

15 *SEC. 3.* Section 82013 of the Government Code is amended
16 to read:

17 82013. “Committee” means any person or combination of
18 persons who directly or indirectly does any of the following:

19 (a) Receives contributions totaling two thousand dollars (\$2,000)
20 or more in a calendar year.

21 (b) Makes independent expenditures totaling two thousand
22 dollars (\$2,000) or more in a calendar year; ~~or.~~

23 (c) Makes contributions totaling ten thousand dollars (\$10,000)
24 or more in a calendar year to or at the behest of candidates or
25 committees.

26 A person or combination of persons that becomes a committee
27 shall retain its status as a committee until such time as that status
28 is terminated pursuant to Section 84214.

29 ~~SEC. 3.~~

30 *SEC. 4.* Section 82015 of the Government Code is amended
31 to read:

32 82015. (a) “Contribution” means a payment, a forgiveness of
33 a loan, a payment of a loan by a third party, or an enforceable
34 promise to make a payment except to the extent that full and
35 adequate consideration is received, unless it is clear from the
36 surrounding circumstances that it is not made for political purposes.

37 (b) (1) A payment made at the behest of a committee as defined
38 in subdivision (a) of Section 82013 is a contribution to the
39 committee unless full and adequate consideration is received from
40 the committee for making the payment.

1 (2) A payment made at the behest of a candidate is a contribution
2 to the candidate unless the criteria in either subparagraph (A) or
3 (B) are satisfied:

4 (A) Full and adequate consideration is received from the
5 candidate.

6 (B) It is clear from the surrounding circumstances that the
7 payment was made for purposes unrelated to his or her candidacy
8 for elective office. The following types of payments are presumed
9 to be for purposes unrelated to a candidate's candidacy for elective
10 office:

11 (i) A payment made principally for personal purposes, in which
12 case it may be considered a gift under the provisions of Section
13 82028. Payments that are otherwise subject to the limits of Section
14 86203 are presumed to be principally for personal purposes.

15 (ii) A payment made by a state, local, or federal governmental
16 agency or by a nonprofit organization that is exempt from taxation
17 under Section 501(c)(3) of the Internal Revenue Code.

18 (iii) A payment not covered by clause (i), made principally for
19 legislative, governmental, or charitable purposes, in which case it
20 is neither a gift nor a contribution. However, payments of this type
21 that are made at the behest of a candidate who is an elected officer
22 shall be reported within 30 days following the date on which the
23 payment or payments equal or exceed five thousand dollars
24 (\$5,000) in the aggregate from the same source in the same
25 calendar year in which they are made. The report shall be filed by
26 the elected officer with the elected officer's agency and shall be
27 a public record subject to inspection and copying pursuant to
28 subdivision (a) of Section 81008. The report shall contain the
29 following information: name of payer, address of payer, amount
30 of the payment, date or dates the payment or payments were made,
31 the name and address of the payee, a brief description of the goods
32 or services provided or purchased, if any, and a description of the
33 specific purpose or event for which the payment or payments were
34 made. Once the five-thousand-dollar (\$5,000) aggregate threshold
35 from a single source has been reached for a calendar year, all
36 payments for the calendar year made by that source must be
37 disclosed within 30 days after the date the threshold was reached
38 or the payment was made, whichever occurs later. Within 30 days
39 after receipt of the report, state agencies shall forward a copy of
40 these reports to the Fair Political Practices Commission, and local

1 agencies shall forward a copy of these reports to the officer with
2 whom elected officers of that agency file their campaign
3 statements.

4 (C) For purposes of subparagraph (B), a payment is made for
5 purposes related to a candidate's candidacy for elective office if
6 all or a portion of the payment is used for election-related activities.
7 For purposes of this subparagraph, "election-related activities"
8 shall include, but are not limited to, the following:

9 (i) Communications that contain express advocacy of the
10 nomination or election of the candidate or the defeat of his or her
11 opponent.

12 (ii) Communications that contain reference to the candidate's
13 candidacy for elective office, the candidate's election campaign,
14 or the candidate's or his or her opponent's qualifications for
15 elective office.

16 (iii) Solicitation of contributions to the candidate or to third
17 persons for use in support of the candidate or in opposition to his
18 or her opponent.

19 (iv) Arranging, coordinating, developing, writing, distributing,
20 preparing, or planning of any communication or activity described
21 in clause (i), (ii), or (iii).

22 (v) Recruiting or coordinating campaign activities of campaign
23 volunteers on behalf of the candidate.

24 (vi) Preparing campaign budgets.

25 (vii) Preparing campaign finance disclosure statements.

26 (viii) Communications directed to voters or potential voters as
27 part of activities encouraging or assisting persons to vote if the
28 communication contains express advocacy of the nomination or
29 election of the candidate or the defeat of his or her opponent.

30 (D) A contribution made at the behest of a candidate for a
31 different candidate or to a committee not controlled by the
32 behesting candidate is not a contribution to the behesting candidate.

33 (3) A payment made at the behest of a member of the Public
34 Utilities Commission, made principally for legislative,
35 governmental, or charitable purposes, is not a contribution.
36 However, payments of this type shall be reported within 30 days
37 following the date on which the payment or payments equal or
38 exceed five thousand dollars (\$5,000) in the aggregate from the
39 same source in the same calendar year in which they are made.
40 The report shall be filed by the member with the Public Utilities

1 Commission and shall be a public record subject to inspection and
2 copying pursuant to subdivision (a) of Section 81008. The report
3 shall contain the following information: name of payer, address
4 of payer, amount of the payment, date or dates the payment or
5 payments were made, the name and address of the payee, a brief
6 description of the goods or services provided or purchased, if any,
7 and a description of the specific purpose or event for which the
8 payment or payments were made. Once the five-thousand-dollar
9 (\$5,000) aggregate threshold from a single source has been reached
10 for a calendar year, all payments for the calendar year made by
11 that source must be disclosed within 30 days after the date the
12 threshold was reached or the payment was made, whichever occurs
13 later. Within 30 days after receipt of the report, the Public Utilities
14 Commission shall forward a copy of these reports to the Fair
15 Political Practices Commission.

16 (c) "Contribution" includes the purchase of tickets for events
17 such as dinners, luncheons, rallies, and similar fundraising events;
18 the candidate's own money or property used on behalf of his or
19 her candidacy other than personal funds of the candidate used to
20 pay either a filing fee for a declaration of candidacy or a candidate
21 statement prepared pursuant to Section 13307 of the Elections
22 Code; the granting of discounts or rebates not extended to the
23 public generally or the granting of discounts or rebates by television
24 and radio stations and newspapers not extended on an equal basis
25 to all candidates for the same office; the payment of compensation
26 by any person for the personal services or expenses of any other
27 person if the services are rendered or expenses incurred on behalf
28 of a candidate or committee without payment of full and adequate
29 consideration.

30 (d) "Contribution" further includes any transfer of anything of
31 value received by a committee from another committee, unless
32 full and adequate consideration is received.

33 (e) "Contribution" does not include amounts received pursuant
34 to an enforceable promise to the extent those amounts have been
35 previously reported as a contribution. However, the fact that those
36 amounts have been received shall be indicated in the appropriate
37 campaign statement.

38 (f) "Contribution" does not include a payment made by an
39 occupant of a home or office for costs related to any meeting or
40 fundraising event held in the occupant's home or office if the costs

1 for the meeting or fundraising event are five hundred dollars (\$500)
2 or less.

3 (g) Notwithstanding the foregoing definition of “contribution,”
4 the term does not include volunteer personal services or payments
5 made by any individual for his or her own travel expenses if the
6 payments are made voluntarily without any understanding or
7 agreement that they shall be, directly or indirectly, repaid to him
8 or her.

9 (h) “Contribution” further includes the payment of public
10 moneys by a state or local governmental agency for a
11 communication to the public that satisfies both of the following:

12 (1) The communication expressly advocates the election or
13 defeat of a clearly identified candidate or the qualification, passage,
14 or defeat of a clearly identified measure, or, taken as a whole and
15 in context, unambiguously urges a particular result in an election.

16 (2) The communication is made at the behest of the affected
17 candidate or committee.

18 (i) (1) “Contribution” further includes a payment made to a
19 multipurpose organization if the donor knows or has reason to
20 know that the payment, or part of the payment, will be used to
21 make a contribution or an independent expenditure.

22 (2) For purposes of paragraph (1), a donor knows that a payment
23 to a multipurpose organization will be used to make a contribution
24 or an independent expenditure if the donor specifies that to be the
25 purpose for which the payment must be used or if the donor makes
26 the payment in response to a message or solicitation indicating the
27 multipurpose organization’s intent to make a contribution or an
28 independent expenditure.

29 (3) For purposes of paragraph (1), a donor is presumed to have
30 reason to know that a payment to a multipurpose organization will
31 be used to make a contribution or an independent expenditure if
32 the recipient multipurpose organization has made aggregate
33 contributions or independent expenditures of two thousand dollars
34 (\$2,000) or more during the calendar year in which the payment
35 is made or during any of the four preceding calendar years.

36 (4) For purposes of paragraph (1), a donor who makes an
37 aggregate payment of fifty thousand dollars (\$50,000) or more to
38 a multipurpose organization within the six months prior to an
39 election is presumed to have reason to know that the aggregate
40 payments will be used by the multipurpose organization to make

1 a contribution or an independent expenditure if the multipurpose
2 organization makes an aggregate contribution or independent
3 expenditure of fifty thousand dollars (\$50,000) or more to support
4 or oppose a candidate or ballot measure within the six months prior
5 to that election.

6 (5) A donor who makes a contribution described in paragraph
7 (1) shall be identified and reported by the multipurpose
8 organization receiving the contribution in accordance with
9 regulations adopted by the Commission.

10 (6) For purposes of this subdivision, “multipurpose organization”
11 means a nonprofit organization, a federal or out-of-state political
12 action committee, or a local club focusing on educational or social
13 activities.

14 ~~SEC. 4. Section 82016 of the Government Code is amended~~
15 ~~to read:~~

16 ~~82016. (a) “Controlled committee” means a committee that~~
17 ~~is controlled directly or indirectly by a candidate or state measure~~
18 ~~proponent or that acts jointly with a candidate, controlled~~
19 ~~committee, or state measure proponent in connection with the~~
20 ~~making of expenditures. A candidate or state measure proponent~~
21 ~~controls a committee if he or she, his or her agent, or any other~~
22 ~~committee he or she controls has a significant influence on the~~
23 ~~actions or decisions of the committee. A committee controlled by~~
24 ~~a candidate elected to office is a controlled committee within the~~
25 ~~meaning of this section for the duration of the candidate’s entire~~
26 ~~term of office.~~

27 ~~(b) Notwithstanding subdivision (a), a political party committee,~~
28 ~~as defined in Section 85205, is not a controlled committee.~~

29 SEC. 5. Section 84101 of the Government Code is amended
30 to read:

31 84101. (a) A committee that is a committee by virtue of
32 subdivision (a) of Section 82013 shall file a statement of
33 organization. The committee shall file the original of the statement
34 of organization with the Secretary of State and shall also file a
35 copy of the statement of organization with the local filing officer,
36 if any, with whom the committee is required to file the originals
37 of its campaign reports pursuant to Section 84215. The original
38 and copy of the statement of organization shall be filed within 10
39 days after the committee has qualified as a committee. The
40 Secretary of State shall assign a number to each committee that

1 files a statement of organization and shall notify the committee of
2 the number. The Secretary of State shall send a copy of statements
3 filed pursuant to this section to the county elections official of each
4 county that he or she deems appropriate. A county elections official
5 who receives a copy of a statement of organization from the
6 Secretary of State pursuant to this section shall send a copy of the
7 statement to the clerk of each city in the county that he or she
8 deems appropriate.

9 (b) In addition to filing the statement of organization as required
10 by subdivision (a), if a committee qualifies as a committee under
11 subdivision (a) of Section 82013 before the date of an election in
12 connection with which the committee is required to file preelection
13 statements, but after the closing date of the last campaign statement
14 required to be filed before the election pursuant to Section 84200.7,
15 84200.8, or 84200.9, the committee shall file, by facsimile
16 transmission, guaranteed overnight delivery, or personal delivery
17 within 24 hours of qualifying as a committee, the information
18 required to be reported in the statement of organization. The
19 information required by this subdivision shall be filed with the
20 filing officer with whom the committee is required to file the
21 originals of its campaign reports pursuant to Section 84215.

22 (c) If an independent expenditure committee qualifies as a
23 committee pursuant to subdivision (a) of Section 82013 during the
24 time period described in Section 82036.5 and makes independent
25 expenditures of one thousand dollars (\$1,000) or more to support
26 or oppose a candidate or candidates for office, the committee shall
27 file, by facsimile transmission, online transmission, guaranteed
28 overnight delivery, or personal delivery within 24 hours of
29 qualifying as a committee, the information required to be reported
30 in the statement of organization. The information required by this
31 section shall be filed with the filing officer with whom the
32 committee is required to file the original of its campaign reports
33 pursuant to Section 84215, and shall be filed at all locations
34 required for the candidate or candidates supported or opposed by
35 the independent expenditures. The filings required by this section
36 are in addition to filings that may be required by Sections 84203.5
37 and 84204.

38 (d) For purposes of this section, in calculating whether two
39 thousand dollars (\$2,000) in contributions has been received,
40 payments for a filing fee or for a statement of qualifications to

1 appear in a sample ballot shall not be included if these payments
2 have been made from the candidate's personal funds.

3 SEC. 6. Section 84211 of the Government Code is amended
4 to read:

5 84211. Each campaign statement required by this article shall
6 contain all of the following information:

7 (a) The total amount of contributions received during the period
8 covered by the campaign statement and the total cumulative amount
9 of contributions received.

10 (b) The total amount of expenditures made during the period
11 covered by the campaign statement and the total cumulative amount
12 of expenditures made.

13 (c) The total amount of contributions received during the period
14 covered by the campaign statement from persons who have given
15 a cumulative amount of two hundred fifty dollars (\$250) or more.

16 (d) The total amount of contributions received during the period
17 covered by the campaign statement from persons who have given
18 a cumulative amount of less than two hundred fifty dollars (\$250).

19 (e) The balance of cash and cash equivalents on hand at the
20 beginning and the end of the period covered by the campaign
21 statement.

22 (f) If the cumulative amount of contributions (including loans)
23 received from a person is two hundred fifty dollars (\$250) or more
24 and a contribution or loan has been received from that person
25 during the period covered by the campaign statement, all of the
26 following:

27 (1) His or her full name.

28 (2) His or her street address.

29 (3) His or her occupation.

30 (4) The name of his or her employer; or, if self-employed, the
31 name of the business.

32 (5) The date and amount received for each contribution received
33 during the period covered by the campaign statement and, if the
34 contribution is a loan, the interest rate for the loan.

35 (6) The cumulative amount of contributions.

36 (g) If the cumulative amount of loans received from or made to
37 a person is two hundred fifty dollars (\$250) or more, and a loan
38 has been received from or made to a person during the period
39 covered by the campaign statement, or is outstanding during the
40 period covered by the campaign statement, all of the following:

- 1 (1) His or her full name.
- 2 (2) His or her street address.
- 3 (3) His or her occupation.
- 4 (4) The name of his or her employer; or, if self-employed, the
- 5 name of the business.
- 6 (5) The original date and amount of each loan.
- 7 (6) The due date and interest rate of the loan.
- 8 (7) The cumulative payment made or received to date at the end
- 9 of the reporting period.
- 10 (8) The balance outstanding at the end of the reporting period.
- 11 (9) The cumulative amount of contributions.
- 12 (h) For each person, other than the filer, who is directly,
- 13 indirectly, or contingently liable for repayment of a loan received
- 14 or outstanding during the period covered by the campaign
- 15 statement, all of the following:
- 16 (1) His or her full name.
- 17 (2) His or her street address.
- 18 (3) His or her occupation.
- 19 (4) The name of his or her employer; or, if self-employed, the
- 20 name of the business.
- 21 (5) The amount of his or her maximum liability outstanding.
- 22 (i) The total amount of expenditures made during the period
- 23 covered by the campaign statement to persons who have received
- 24 one hundred dollars (\$100) or more.
- 25 (j) The total amount of expenditures made during the period
- 26 covered by the campaign statement to persons who have received
- 27 less than one hundred dollars (\$100).
- 28 (k) For each person to whom an expenditure of one hundred
- 29 dollars (\$100) or more has been made during the period covered
- 30 by the campaign statement, all of the following:
- 31 (1) His or her full name.
- 32 (2) His or her street address.
- 33 (3) The amount of each expenditure.
- 34 (4) A brief description of the consideration for which each
- 35 expenditure was made.
- 36 (5) In the case of an expenditure ~~which~~ *that* is a contribution to
- 37 a candidate, elected officer, or committee or an independent
- 38 expenditure to support or oppose a candidate or measure, in
- 39 addition to the information required in paragraphs (1) to (4) ~~above~~,
inclusive, the date of the contribution or independent expenditure;;
- 40

1 the cumulative amount of contributions made to a candidate,
2 elected officer, or committee, or the cumulative amount of
3 independent expenditures made relative to a candidate or measure;
4 the full name of the candidate, and the office and district for which
5 he or she seeks nomination or election, or the number or letter of
6 the measure; and the jurisdiction in which the measure or candidate
7 is voted upon.

8 (6) The information required in paragraphs (1) to (4), inclusive,
9 for each person, if different from the payee, who has provided
10 consideration for an expenditure of five hundred dollars (\$500) or
11 more during the period covered by the campaign statement.

12 For purposes of subdivisions (i), (j), and (k) only, the ~~terms~~ *term*
13 “expenditure” or “expenditures” ~~mean~~ *means* any individual
14 payment or accrued expense, unless it is clear from surrounding
15 circumstances that a series of payments or accrued expenses are
16 for a single service or product.

17 (l) In the case of a controlled committee, an official committee
18 of a political party, or an organization formed or existing primarily
19 for political purposes, the amount and source of any miscellaneous
20 receipt.

21 (m) If a committee is listed pursuant to subdivision (f), (g), (h),
22 (k), (l), or ~~(q)~~ (p), the number assigned to the committee by the
23 Secretary of State shall be listed; or, if no number has been
24 assigned, the full name and street address of the treasurer of the
25 committee.

26 (n) In a campaign statement filed by a candidate who is a
27 candidate in both a state primary and general election, his or her
28 controlled committee, or a committee primarily formed to support
29 or oppose such a candidate, the total amount of contributions
30 received and the total amount of expenditures made for the period
31 January 1 through June 30 and the total amount of contributions
32 received and expenditures made for the period July 1 through
33 December 31.

34 (o) The full name, residential or business address, and telephone
35 number of the filer; or, in the case of a campaign statement filed
36 by a committee defined by subdivision (a) of Section 82013, the
37 name, street address, and telephone number of the committee and
38 of the committee treasurer. In the case of a committee defined by
39 subdivision (b) or (c) of Section 82013, the name that the filer uses
40 on campaign statements shall be the name by which the filer is

1 identified for other legal purposes or any name by which the filer
2 is commonly known to the public.

3 (p) If the campaign statement is filed by a candidate, the name,
4 street address, and treasurer of any committee of which he or she
5 has knowledge which has received contributions or made
6 expenditures on behalf of his or her candidacy and whether the
7 committee is controlled by the candidate.

8 (q) A contribution need not be reported nor shall it be deemed
9 accepted if it is not cashed, negotiated, or deposited and is returned
10 to the contributor before the closing date of the campaign statement
11 on which the contribution would otherwise be reported.

12 (r) If a committee primarily formed for the qualification or
13 support of, or opposition to, an initiative or ballot measure is
14 required to report an expenditure to a business entity pursuant to
15 subdivision (k) and 50 percent or more of the business entity is
16 owned by a candidate or person controlling the committee, by an
17 officer or employee of the committee, or by a spouse of any of
18 these individuals, the committee's campaign statement shall also
19 contain, in addition to the information required by subdivision (k),
20 that person's name, the relationship of that person to the committee,
21 and a description of that person's ownership interest or position
22 with the business entity.

23 (s) (1) If a committee primarily formed for the qualification
24 or support of, or opposition to, an initiative or ballot measure is
25 required to report an expenditure to a business entity pursuant to
26 subdivision (k), and a candidate or person controlling the
27 committee, an officer or employee of the committee, or a spouse
28 of any of these individuals is an officer, partner, consultant, or
29 employee of the business entity, the committee's campaign
30 statement shall also contain, in addition to the information required
31 by subdivision (k), that person's name, the relationship of that
32 person to the committee, and a description of that person's
33 ownership interest or position with the business entity.

34 (2) *For a committee primarily formed to support or oppose a*
35 *statewide initiative or ballot measure, the reporting thresholds for*
36 *disclosure of contributions, including loans, and expenditures*
37 *specified in subdivisions (c), (d), (f), (g), (i), (j), and (k) shall be*
38 *established in regulations adopted by the Commission and may*
39 *be adjusted in regulations adopted by the Commission in any*
40 *odd-numbered year after 2013. The thresholds established pursuant*

1 *to this paragraph shall be not less than five hundred dollars (\$500)*
2 *and not greater than two thousand five hundred dollars (\$2,500).*

3 (t) If the campaign statement is filed by a committee, as defined
4 in subdivision (b) or (c) of Section 82013, information sufficient
5 to identify the nature and interests of the filer, including:

6 (1) If the filer is an individual, the name and address of the
7 filer's employer, if any, or his or her principal place of business
8 if the filer is self-employed, and a description of the business
9 activity in which the filer or his or her employer is engaged.

10 (2) If the filer is a business entity, a description of the business
11 activity in which it is engaged.

12 (3) If the filer is an industry, trade, or professional association,
13 a description of the industry, trade, or profession—~~which~~ *that* it
14 represents, including a specific description of any portion or faction
15 of the industry, trade, or profession—~~which~~ *that* the association
16 exclusively or primarily represents.

17 (4) If the filer is not an individual, business entity, or industry,
18 trade, or professional association, a statement of the person's nature
19 and purposes, including a description of any industry, trade,
20 profession, or other group with a common economic interest—~~which~~
21 *that* the person principally represents or from which its
22 membership or financial support is principally derived.

23 SEC. 7. Section 84215 of the Government Code is amended
24 to read:

25 84215. All candidates and elected officers and their controlled
26 committees, except as provided in subdivisions (d) and (e), shall
27 file one copy of the campaign statements required by Section 84200
28 with the elections official of the county in which the candidate or
29 elected official is domiciled, as defined in subdivision (b) of
30 Section 349 of the Elections Code. In addition, campaign
31 statements shall be filed at the following places:

32 (a) Statewide elected officers, including members of the State
33 Board of Equalization; Members of the Legislature; Supreme Court
34 justices, court of appeal justices, and superior court judges;
35 candidates for those offices and their controlled committees;
36 committees formed or existing primarily to support or oppose these
37 candidates, elected officers, justices and judges, or statewide
38 measures, or the qualification of state ballot measures; and all state
39 general purpose committees and filers not specified in subdivisions
40 (b) to (e), inclusive, shall file a campaign statement by online or

1 electronic means, as specified in Section 84605, and, if not required
2 to file the statement by online or electronic means, shall file the
3 original and one copy of the campaign statement in paper format
4 with the Secretary of State.

5 (b) Elected officers in jurisdictions other than legislative
6 districts, State Board of Equalization districts, or appellate court
7 districts that contain parts of two or more counties, candidates for
8 these offices, their controlled committees, and committees formed
9 or existing primarily to support or oppose candidates or local
10 measures to be voted upon in one of these jurisdictions shall file
11 the original and one copy with the elections official of the county
12 with the largest number of registered voters in the jurisdiction.

13 (c) County elected officers, candidates for these offices, their
14 controlled committees, committees formed or existing primarily
15 to support or oppose candidates or local measures to be voted upon
16 in any number of jurisdictions within one county, other than those
17 specified in subdivision (d), and county general purpose
18 committees shall file the original and one copy with the elections
19 official of the county.

20 (d) City elected officers, candidates for city office, their
21 controlled committees, committees formed or existing primarily
22 to support or oppose candidates or local measures to be voted upon
23 in one city, and city general purpose committees shall file the
24 original and one copy with the clerk of the city and are not required
25 to file with the local elections official of the county in which they
26 are domiciled.

27 (e) Elected members of the Board of Administration of the
28 Public Employees' Retirement System, elected members of the
29 Teachers' Retirement Board, candidates for these offices, their
30 controlled committees, and committees formed or existing
31 primarily to support or oppose these candidates or elected members
32 shall file the original and one copy with the Secretary of State, and
33 a copy shall be filed at the relevant board's office in Sacramento.
34 These elected officers, candidates, and committees need not file
35 with the elections official of the county in which they are
36 domiciled.

37 (f) Notwithstanding any other provision of this section, a
38 committee, candidate, or elected officer is not required to file more
39 than the original and one copy, or one copy, of a campaign

1 statement with any one county elections official or city clerk or
2 with the Secretary of State.

3 (g) If a committee is required to file campaign statements
4 required by Section 84200 or 84200.5 in places designated in
5 subdivisions (a) to (d), inclusive, it shall continue to file these
6 statements in those places, in addition to any other places required
7 by this title, until the end of the calendar year.

8 SEC. 8. Section 84215.5 is added to the Government Code, to
9 read:

10 84215.5. A statement or report filed with the Secretary of State
11 pursuant to this chapter shall be made available to the Commission
12 by the Secretary of State, upon request of the Commission.

13 SEC. 9. Section 84605 of the Government Code is amended
14 to read:

15 84605. (a) The following persons shall file online or
16 electronically with the Secretary of State:

17 (1) Any candidate, including superior court, appellate court,
18 and Supreme Court candidates and officeholders, committee, or
19 other persons who are required, pursuant to Chapter 4 (commencing
20 with Section 84100), to file statements, reports, or other documents
21 in connection with a state elective office or state measure, provided
22 that the total cumulative reportable amount of contributions
23 received, expenditures made, loans made, or loans received is
24 twenty-five thousand dollars (\$25,000) or more. In determining
25 the cumulative reportable amount, all controlled committees, as
26 defined by Section 82016, shall be included. For a committee
27 subject to this title prior to January 1, 2000, the beginning date for
28 calculating cumulative totals is January 1, 2000. For a committee
29 that is first subject to this title on or after January 1, 2000, the
30 beginning date for calculating cumulative totals is the date the
31 committee is first subject to this title. A committee, as defined in
32 subdivision (c) of Section 82013, shall file online or electronically
33 if it makes contributions of twenty-five thousand dollars (\$25,000)
34 or more in a calendar year.

35 (2) Any general purpose committees, as defined in Section
36 82027.5, including the general purpose committees of political
37 parties, and small contributor committees, as defined in Section
38 85203, that cumulatively receive contributions or make
39 expenditures totaling twenty-five thousand dollars (\$25,000) or
40 more to support or oppose candidates for any elective state office

1 or state measure. For a committee subject to this title prior to
2 January 1, 2000, the beginning date for calculating cumulative
3 totals is January 1, 2000. For a committee that first is subject to
4 this title on or after January 1, 2000, the beginning date for
5 calculating cumulative totals is the date the committee is first
6 subject to this title.

7 (3) Any slate mailer organization with cumulative reportable
8 payments received or made for the purposes of producing slate
9 mailers of twenty-five thousand dollars (\$25,000) or more. For a
10 slate mailer organization subject to this title prior to January 1,
11 2000, the beginning date for calculating cumulative totals is
12 January 1, 2000. For a slate mailer organization that first is subject
13 to this title on or after January 1, 2000, the beginning date for
14 calculating cumulative totals is the date the organization is first
15 subject to this title.

16 (4) Any lobbyist, lobbying firm, lobbyist employer, or other
17 persons required, pursuant to Chapter 6 (commencing with Section
18 86100), to file statements, reports, or other documents, provided
19 that the total amount of any category of reportable payments,
20 expenses, contributions, gifts, or other items is two thousand five
21 hundred dollars (\$2,500) or more in a calendar quarter.

22 (b) The Secretary of State shall also disclose on the Internet any
23 late contribution or late independent expenditure report, as defined
24 by Sections 84203 and 84204, respectively, not covered by
25 paragraph (1), (2), or (3) of subdivision (a) or any other provision
26 of law.

27 (c) Committees and other persons that are not required to file
28 online or electronically by this section may do so voluntarily.

29 (d) Once a person or entity is required to file online or
30 electronically, subject to subdivision (a) or (c), the person or entity
31 shall be required to file all subsequent reports online or
32 electronically.

33 (e) It shall be presumed that online or electronic filers file under
34 penalty of perjury.

35 (f) Persons filing online or electronically shall not be required
36 to continue to file required disclosure statements and reports in
37 paper format with the Secretary of State. However, an original
38 paper copy shall be filed with the Secretary of State during any
39 period of time for which the online or electronic system operated
40 by the Secretary of State is malfunctioning, unavailable, or

1 otherwise not capable of receiving online or electronically filed
2 disclosure statements and reports.

3 (g) The Secretary of State shall maintain at all times a secured,
4 official version of all original online and electronically filed
5 statements and reports required by this chapter. Upon determination
6 by the Secretary of State, pursuant to Section 84606, that the
7 system is operating securely and effectively, this online or
8 electronic version shall be the official version for audit and other
9 legal purposes.

10 (h) Except for statements related to a local elective office or a
11 local ballot measure filed by a candidate for local elective office
12 who is also a candidate for elective state office, a copy of a
13 statement, report, or other document filed by online or electronic
14 means with the Secretary of State shall not be filed with a local
15 filing officer.

16 SEC. 10. Section 85201 of the Government Code is amended
17 to read:

18 85201. (a) Upon the filing of the statement of intention
19 pursuant to Section 85200, the individual shall establish one
20 campaign contribution account at an office of a financial institution
21 located in the state.

22 (b) As required by subdivision (f) of Section 84102, a candidate
23 who raises contributions of two thousand dollars (\$2,000) or more
24 in a calendar year shall set forth the name and address of the
25 financial institution where the candidate has established a campaign
26 contribution account and the account number on the committee
27 statement of organization filed pursuant to Sections 84101 and
28 84103.

29 (c) All contributions or loans made to the candidate, to a person
30 on behalf of the candidate, or to the candidate's controlled
31 committee shall be deposited in the account.

32 (d) Any personal funds which will be utilized to promote the
33 election of the candidate shall be deposited in the account prior to
34 expenditure.

35 (e) All campaign expenditures shall be made from the account.

36 (f) Subdivisions (d) and (e) do not apply to a candidate's
37 payment for a filing fee and statement of qualifications from his
38 or her personal funds.

39 (g) This section does not apply to a candidate who will not
40 receive contributions and who makes expenditures from personal

1 funds of less than two thousand dollars (\$2,000) in a calendar year
2 to support his or her candidacy. For purposes of this section, a
3 candidate's payment for a filing fee and statement of qualifications
4 shall not be included in calculating the total expenditures made.

5 (h) An individual who raises contributions from others for his
6 or her campaign, but who raises or spends less than two thousand
7 dollars (\$2,000) in a calendar year, and does not qualify as a
8 committee under Section 82013, shall establish a campaign
9 contribution account pursuant to subdivision (a), but is not required
10 to file a committee statement of organization pursuant to Section
11 84101 or other statement of bank account information.

12 SEC. 11. Section 86119 is added to the Government Code, to
13 read:

14 86119. A registration or report filed with the Secretary of State
15 pursuant to this chapter shall be made available to the Commission
16 by the Secretary of State, upon request of the Commission.

17 SEC. 12. ~~Section 89519 of the Government Code is amended~~
18 ~~to read:~~

19 ~~89519. (a) Upon the 90th day after leaving any elected office,~~
20 ~~or the 90th day following the end of the postelection reporting~~
21 ~~period following the defeat of a candidate for elective office,~~
22 ~~whichever occurs last, campaign funds under the control of the~~
23 ~~former candidate or elected officer shall be considered surplus~~
24 ~~campaign funds and shall be disclosed pursuant to Chapter 4~~
25 ~~(commencing with Section 84100).~~

26 ~~(b) Surplus campaign funds shall be used only for the following~~
27 ~~purposes:~~

28 ~~(1) The payment of outstanding campaign debts or elected~~
29 ~~officer's expenses.~~

30 ~~(2) The repayment of contributions.~~

31 ~~(3) Donations to any bona fide charitable, educational, civic,~~
32 ~~religious, or similar tax-exempt, nonprofit organization, where no~~
33 ~~substantial part of the proceeds will have a material financial effect~~
34 ~~on the former candidate or elected officer, any member of his or~~
35 ~~her immediate family, or his or her campaign treasurer.~~

36 ~~(4) Contributions to a political party committee, provided the~~
37 ~~campaign funds are not used to support or oppose candidates for~~
38 ~~elective office. However, the campaign funds may be used by a~~
39 ~~political party committee to conduct partisan voter registration;~~

1 ~~partisan get-out-the-vote activities, and slate mailers as that term~~
2 ~~is defined in Section 82048.3.~~

3 ~~(5) Contributions to support or oppose any candidate for federal~~
4 ~~office, any candidate for elective office in a state other than~~
5 ~~California, or any ballot measure.~~

6 ~~(6) The payment for professional services reasonably required~~
7 ~~by the committee to assist in the performance of its administrative~~
8 ~~functions, including payment for attorney's fees for litigation which~~
9 ~~arises directly out of a candidate's or elected officer's activities,~~
10 ~~duties, or status as a candidate or elected officer, including, but~~
11 ~~not limited to, an action to enjoin defamation, defense of an action~~
12 ~~brought of a violation of state or local campaign, disclosure, or~~
13 ~~election laws, and an action from an election contest or recount.~~

14 ~~(c) For purposes of this section, the payment for, or the~~
15 ~~reimbursement to the state of, the costs of installing and monitoring~~
16 ~~an electronic security system in the home or office, or both, of a~~
17 ~~candidate or elected officer who has received threats to his or her~~
18 ~~physical safety shall be deemed an outstanding campaign debt or~~
19 ~~elected officer's expense, provided that the threats arise from his~~
20 ~~or her activities, duties, or status as a candidate or elected officer~~
21 ~~and that the threats have been reported to and verified by an~~
22 ~~appropriate law enforcement agency. Verification shall be~~
23 ~~determined solely by the law enforcement agency to which the~~
24 ~~threat was reported. The candidate or elected officer shall report~~
25 ~~any expenditure of campaign funds made pursuant to this section~~
26 ~~to the Commission. The report to the Commission shall include~~
27 ~~the date that the candidate or elected officer informed the law~~
28 ~~enforcement agency of the threat, the name and the telephone~~
29 ~~number of the law enforcement agency, and a brief description of~~
30 ~~the threat. No more than five thousand dollars (\$5,000) in surplus~~
31 ~~campaign funds may be used, cumulatively, by a candidate or~~
32 ~~elected officer pursuant to this subdivision. Payments made~~
33 ~~pursuant to this subdivision shall be made during the two years~~
34 ~~immediately following the date upon which the campaign funds~~
35 ~~become surplus campaign funds. The candidate or elected officer~~
36 ~~shall reimburse the surplus fund account for the fair market value~~
37 ~~of the security system no later than two years immediately~~
38 ~~following the date upon which the campaign funds became surplus~~
39 ~~campaign funds. The campaign funds become surplus campaign~~
40 ~~funds upon sale of the property on which the system is installed,~~

1 ~~or prior to the closing of the surplus campaign fund account,~~
2 ~~whichever comes first. The electronic security system shall be the~~
3 ~~property of the campaign committee of the candidate or elected~~
4 ~~officer.~~

5 SEC. 13. ~~Section 90003 of the Government Code is amended~~
6 ~~to read:~~

7 90003. ~~(a) In addition to the audits and investigations required~~
8 ~~by Section 90001, the Franchise Tax Board and the Commission~~
9 ~~may make investigations and audits with respect to any reports or~~
10 ~~statements required by Chapter 4 (commencing with Section~~
11 ~~84100), Chapter 5 (commencing with Section 85100), or Chapter~~
12 ~~6 (commencing with Section 86100).~~

13 ~~(b) (1) Nothing in this chapter shall be construed to prohibit~~
14 ~~the Commission from undertaking any audit authorized by this~~
15 ~~section prior to the date of the election or prior to the date upon~~
16 ~~which the report or statement is required to be filed. A candidate~~
17 ~~or committee shall, during the audit, make all relevant records~~
18 ~~available for immediate review by the Commission.~~

19 ~~(2) A person who is subject to an audit authorized by this section~~
20 ~~may contest the performance of the audit or an order issued by the~~
21 ~~Commission as a result of an audit by seeking a writ of mandate.~~
22 ~~Venue for the proceeding shall be exclusively in the County of~~
23 ~~Sacramento. The action shall be given priority over all other civil~~
24 ~~matters.~~

25 ~~(3) In addition to any other remedies available to the~~
26 ~~Commission, including injunctive relief pursuant to Section 91003,~~
27 ~~the Commission may seek an injunction pursuant to Title 7~~
28 ~~(commencing with Section 501) of Part 2 of the Code of Civil~~
29 ~~Procedure to compel a person who is subject to an audit authorized~~
30 ~~by this section to cooperate with the Commission in the~~
31 ~~performance of the audit or to compel compliance with an order~~
32 ~~of the Commission resulting from the audit. Notwithstanding any~~
33 ~~other law, an appeal of an injunction issued in favor of the~~
34 ~~Commission shall not result in a mandatory stay pending the~~
35 ~~resolution of the appeal. A stay of an injunction pending resolution~~
36 ~~of the appeal may be ordered at the discretion of the court issuing~~
37 ~~the injunction.~~

38 SEC. 14. ~~Section 90005 of the Government Code is amended~~
39 ~~to read:~~

1 90005. ~~No member, employee, or agent of the Franchise Tax~~
2 ~~Board or the Commission shall divulge or make known in any~~
3 ~~manner any particulars of any record, documents, or information~~
4 ~~which he receives by virtue of this chapter, except in furtherance~~
5 ~~of the work of the Franchise Tax Board or in connection with any~~
6 ~~court proceeding or any lawful investigation of any agency.~~

7 ~~SEC. 15. Section 91003 of the Government Code is amended~~
8 ~~to read:~~

9 91003. (a) Any person residing in the jurisdiction, including
10 the Commission, may sue for injunctive relief to enjoin violations
11 or to compel compliance with the provisions of this title. The court
12 may in its discretion require any plaintiff other than the
13 Commission to file a complaint with the Commission prior to
14 seeking injunctive relief. The court may award to a plaintiff or
15 defendant who prevails his costs of litigation, including reasonable
16 attorney's fees.

17 (b) ~~Upon a preliminary showing in an action brought by a person~~
18 ~~residing in the jurisdiction that a violation of Article 1~~
19 ~~(commencing with Section 87100), Article 4 (commencing with~~
20 ~~Section 87400), or Article 4.5 (commencing with Section 87450)~~
21 ~~of Chapter 7 of this title or of a disqualification provision of a~~
22 ~~Conflict of Interest Code has occurred, the court may restrain the~~
23 ~~execution of any official action in relation to which such a violation~~
24 ~~occurred, pending final adjudication. If it is ultimately determined~~
25 ~~that a violation has occurred and that the official action might not~~
26 ~~otherwise have been taken or approved, the court may set the~~
27 ~~official action aside as void. The official actions covered by this~~
28 ~~subsection include, but are not limited to orders, permits,~~
29 ~~resolutions and contracts, but do not include the enactment of any~~
30 ~~state legislation. In considering the granting of preliminary or~~
31 ~~permanent relief under this subsection, the court shall accord due~~
32 ~~weight to any injury that may be suffered by innocent persons~~
33 ~~relying on the official action.~~

34 ~~SEC. 12. Section 90009 is added to the Government Code, to~~
35 ~~read:~~

36 90009. (a) *To further the purposes identified in Section 90008,*
37 *the Commission may seek injunctive relief in a superior court to*
38 *compel disclosure consistent with this title.*

39 (b) *A court shall grant expedited review to an action filed*
40 *pursuant to subdivision (a) as follows:*

1 (1) *The court shall conduct an expedited hearing with an*
2 *opportunity for the defendant to respond.*

3 (2) *Briefs of the parties shall be required pursuant to an*
4 *expedited schedule.*

5 (c) *A superior or appellate court may, at its discretion, grant a*
6 *stay of an order granting relief pursuant to subdivision (a).*

7 ~~SEC. 16.~~

8 SEC. 13. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution for certain
10 costs that may be incurred by a local agency or school district
11 because, in that regard, this act creates a new crime or infraction,
12 eliminates a crime or infraction, or changes the penalty for a crime
13 or infraction, within the meaning of Section 17556 of the
14 Government Code, or changes the definition of a crime within the
15 meaning of Section 6 of Article XIII B of the California
16 Constitution.

17 However, if the Commission on State Mandates determines that
18 this act contains other costs mandated by the state, reimbursement
19 to local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.

22 ~~SEC. 17.~~

23 SEC. 14. The Legislature finds and declares that this bill
24 furtheres the purposes of the Political Reform Act of 1974 within
25 the meaning of subdivision (a) of Section 81012 of the Government
26 Code.